

August 2, 2017

**SENT VIA U.S. MAIL,  
CERTIFIED RETURN RECEIPT REQUESTED AND  
VIA EMAIL: R5FOIA@EPA.GOV**

Freedom of Information Officer  
U.S. EPA Region 5 (MI-9J)  
77 West Jackson Blvd.  
Chicago, IL 60604-3590

Re: *Freedom of Information Act Request*

Dear Freedom of Information Officer:

We represent the Lac du Flambeau Band of Lake Superior Chippewa Indians (the Tribe), a sovereign Indian Tribe whose government is recognized by the United States. Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, the Tribe requests that Region 5 of the U.S. Environmental Protection Agency (EPA) promptly provide the following information pertaining to the contamination from leaking underground storage tanks (LUSTs) associated with the Tower Standard site located at 14267 State Highway 70 West in Lac du Flambeau, Wisconsin:

- For the period of May 1, 1997 to the present, all communications between the parties listed below related to (a) the remedial investigation and cleanup for the Site, including but not limited to funding requests, authorizations, and assessment; (b) the Tribe; (c) the Wisconsin Department of Natural Resources (WDNR); (d) William and Linda Kozak; and (e) the Kozak's contractor, REI:
  - all internal communications within the EPA, including but not limited to communications between Region 5 and EPA Headquarters;
  - between EPA and WDNR;
  - between EPA and William and Linda Kozak;
  - between EPA and the Kozak's contractor, REI;
  - between EPA and all others.

The communications sought pursuant to this request expressly exclude technical and consultant reports and is intended to include written and electronic communications. This request is made by the Tribe in its official governmental capacity, and would inform and contribute significantly to the Tribe and its members' understanding of this matter.

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Moreover, this request is for governmental, public interest purposes and is not for commercial purposes. Accordingly, the Tribe, acting pursuant to 40 C.F.R. § 2.107(l), respectfully requests that all search, review, and copying fees associated with this request be waived. If this requested fee waiver is denied, please provide the undersigned with written notification of such denial.

In addition, the Tribe formally requests that EPA preserve all documentation related to the Site, including but not limited to the records requested herein.

Thank you for your assistance. If you have any questions, please call me at (206) 682-3333.

Sincerely,

SHORT CRESSMAN & BURGESS PLLC

A handwritten signature in black ink, appearing to read 'Richard A. Du Bey', is written over the printed name.

Richard A. Du Bey

RAD:jbl

cc: Larry Wawronowicz